

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
RICHARD SAVAGE,)	
Register Number 22580-037,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 18th day of December, 2008.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 18th day of December, 2008, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Richard Savage
Reg. No. 22580-037
LSCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Richard Savage, Register Number 22580-037, is in Bureau custody at the Low Security Correctional Institution, Butner, North Carolina, in service of a 36-month term of imprisonment and a five-year term of supervised release, following his conviction for Distribution of Heroin, in the Superior Court of the District of Columbia (Case No. 2006 FEL 00203). His projected release date is December 27, 2008.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his prior convictions for: Attempted Second Degree Sex


Abuse, in the Superior Court of the District of Columbia (Case No. F-3057-99), for grabbing a 16-year-old girl by the neck, forcing her into a bedroom, forcing her to smoke marijuana, choking her, pulling her hair, threatening to kill her and her family when she attempted to leave, and forcing her to engage in vaginal sexual intercourse; Attempted Rape, in the Superior Court of the District of Columbia (Case No. F-7631-84), for grabbing the vaginal area of his defense attorney as she was concluding an interview, grabbing her blouse and pulling it open, and standing between her and the door to prevent her from exiting the interview room; and Assault with Intent to Rape, in violation of 18 U.S.C. § 133(a), in the United States District Court, District of Maryland (Case No. 1:85-CR-00381), for disrobing after receiving dental care, shaking his penis vigorously upon being observed by the dental assistant, walking toward her, striking her arm when she attempted to reach for her keys, and grabbing her and throwing her to the ground;

(b) A limited psychological review indicated the following: Axis I diagnoses of Paraphilia Not Otherwise Specified (Nonconsent)(provisional); Exhibitionism (provisional); Opiod Abuse; and Cannabis Abuse; Axis II

diagnoses of Antisocial Personality Disorder and Mild Mental Retardation (by history);

(c) An initial assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his prior offense conduct, a history of revocation or failure to comply with the stipulations of conditional release, and criminal versatility, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Anthony A. Jimenez
Chairperson
Certification Review Panel
Federal Bureau of Prisons

11/12/2008

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
RICHARD SAVAGE,)	
Register Number 22580-037,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2008.

W. EARL BRITT
Senior U.S. District Judge